



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 4
ATLANTA FEDERAL CENTER
61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960

FEB 06 2015

UNITED PARCEL SERVICE

Mr. Jose Alvarez
Plant Manager – Montevallo Plant
Lhoist North America of Alabama, LLC
7444 State Highway 25 South
Calera, Alabama 35040

Dear Mr. Alvarez:

The U.S. Environmental Protection Agency is requiring Lhoist North America of Alabama, LLC (Lhoist) to submit certain information about the lime kilns and associated equipment operated at its Montevallo Plant in Calera, Alabama. The EPA is issuing this information request pursuant to Section 114(a) of the Clean Air Act (CAA), 42 U.S.C. § 7414(a), which authorizes the Administrator of the EPA to require the submission of information for the purpose of determining compliance. The Administrator has delegated this authority to the Director of the Air, Pesticides and Toxics Management Division, Region 4. Information available to the EPA indicates that Lhoist owns and operates a lime manufacturing facility at 7444 State Highway 25 South, Calera, Alabama. The EPA is requesting this information to determine whether this facility is in compliance with the CAA, including requirements for New Source Review.

Please refer to the enclosures to this letter in preparing a response to this request. Enclosure A specifies the information pertaining to this facility that must be submitted. Enclosure B contains instructions and definitions that should be used to provide the requested information. Enclosure C contains requirements for asserting and substantiating a claim of business confidentiality. A response to this request must be sent to the EPA within forty-five (45) calendar days after Lhoist receives this letter, unless the EPA, for good cause shown, extends in writing the deadline for responding to the request.

All required information must be sent to:

U.S. EPA, Region 4
Air, Pesticides and Toxics
Management Division
61 Forsyth St, SW
Atlanta, GA 30303
ATTN: Jason Dressler (AETB)

Under 40 C.F.R. Part 2, Subpart B, Lhoist may assert a business confidentiality claim covering part or all of the information it submits, other than emissions data and information or data that is otherwise publicly available, as described in 40 CFR §§ 2.203(b); 2.301(a) and 2.301(e). The page, paragraph, and sentence must be identified for any information subject to a claim of business confidentiality.

Requirements for asserting a claim of business confidentiality are described in Section A of Enclosure C. If no business confidentiality claim accompanies the information when it is received by the EPA, the EPA may make the information available to the public without further notice. If a business confidentiality claim accompanies the information when it is received by the EPA, Section B of Enclosure C describes the confidential business information substantiation requirements Lhoist will be asked to comply with in the event that the EPA receives a Freedom of Information Act request or otherwise wants to determine whether such information is entitled confidential treatment.

See 40 C.F.R. § 2.204. In those instances, Lhoist will be given an opportunity to submit comments on its claim by responding to 11 questions in Section B of Enclosure C. See 40 C.F.R. § 2.204(e)(4). Lhoist's comments in response to these questions will be used by the EPA to determine whether the information has been shown to meet the requirements so as to be entitled to confidential treatment. Failure to submit comments by the deadline in the letter will be regarded as a waiver of Lhoist's confidentiality claim, and the EPA may release the information.

Lhoist must submit all requested information under an authorized signature with the following certification:

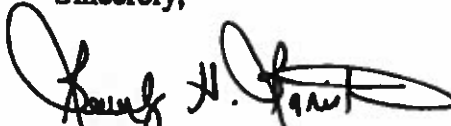
I hereby certify that I have personally examined and am familiar with the statements and information in the enclosed documents, including all attachments. Based on my inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are, to the best of my knowledge and belief, true, correct, accurate, and complete. I am aware that there are significant penalties for knowingly submitting false statements and information, or omitting required statements and information, including the possibility of fines or imprisonment pursuant to Section 113(c)(2) of the CAA, and 18 U.S.C. §§ 1001 and 1341.

This request is not subject to the Paperwork Reduction Act, 44 U.S.C. § 3501 *et seq.*, because it seeks collection of information from specific individuals or entities as part of an administrative action or investigation. To aid in our electronic record keeping efforts, please provide the response to this request for information without staples. Paper clips, binder clips, and three-ring binders are acceptable.

Failure to comply fully with this request for information is a violation of Section 114 of the CAA and may subject Lhoist to an enforcement action under Section 113 of the CAA, 42 U.S.C. § 7413, for the recovery of civil penalties not to exceed \$37,500 per day of violation, or for injunctive relief or both. Section 113 of the CAA gives the EPA the authority to seek criminal penalties from any person who knowingly makes any false statement, representation, or certification in any report required under the CAA.

Please direct any questions regarding this request for information to Jason Dressler, either by telephone at 404-562-9208, or by email at dressler.jason@epa.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Beverly H. Banister", with a large, stylized flourish at the end.

Beverly H. Banister

Director

Air, Pesticides and Toxics Management Division

Enclosures

cc: Mr. Ron Gore, Chief, Air Division
Alabama Department of Environmental Management

ENCLOSURE A -- Information Request

The Lhoist North America of Alabama, LLC, Montevallo Plant in Calera, Alabama (Facility) must submit the following information to the U.S. EPA, Region 4 Office, within 45 days of the date of receipt, unless otherwise stated, pursuant to Section 114 of the Clean Air Act (CAA), 42 U.S.C. § 7414:

- 1. Provide a map of the Facility and the area immediately surrounding the Facility identifying all sources of air emissions at the Facility.**
- 2. Provide a detailed narrative description of the current processes at the Facility, including the kiln shell, kiln internals, crushing equipment, quarry, stone bin, the cooler, any preheater, fans, and related air pollution control devices, describing each unit which produces air emissions and each air emissions control unit, in relation to the process. In the narrative, describe the function of each unit and describe the chemical or physical process occurring at each stage of the process. Also provide a schematic of the Facility, and provide a legend to tie this schematic to the narrative description.**
- 3. Provide up-to-date process flow diagrams of the Facility. On the diagrams, using a key for clarity purposes, identify each of the units listed in response to question 2 and question 15. The diagram must include all emissions units, continuous emissions monitors (CEMS), continuous opacity monitoring systems (COMS), and air pollution control devices. Where applicable, indicate capacity rates of material feed and/or exhaust flow.**
- 4. Provide copies of any and all CAA construction permits and CAA operating permits or any similar permits issued to the Facility since January 1, 2000.**
- 5. Provide copies of any and all applications which the Facility submitted to the Alabama Department of Environmental Management (ADEM) for a CAA construction permit, CAA operating permit, or a Title V permit since January 1, 2000 with the project number assigned by ADEM for such permitting request or action.**
- 6. Indicate the dates of initial construction and start-up of all emission units at the Facility, and where appropriate, indicate the date of modification or permanent shutdown of any of the emission units.**
- 7. Identify all emission decreases utilized to calculate any net emissions increases or decreases as indicated in any of the Facility's CAA construction, CAA operating, or Title V applications from January 1, 2000 to the present. Provide calculations, assumptions, and a description of the methods and documents utilized in calculating these emissions decreases. Provide all documents that show that these decreases are federally enforceable.**
- 8. Identify and describe, in a chronologically organized table, all capital expenditures of \$25,000 or greater made at the Facility since January 1, 2000. This should include, but not be limited to capital expenditures associated with alterations or modifications to the equipment and/or in the method of operation, and additions or changes in fuel type, fuel feed operations, raw material feed rates, production rates, emission rates, and/or air pollution control equipment. In the table, include the date each project commenced, the date each project was completed (implemented), a brief description of each project, vendor name, work order number, and the fixed capital cost of each project in nominal dollars. Indicate in this table whether the facility received a permit for**

the modification and cross reference to the list of permits and permit applications provided in response to questions 4 and 5.

9. For each capital expenditure identified in question 8 (indexed to that change on the table), provide:
 - a. An analysis and quantification of the effect of the change on the production and/or emissions from the unit;
 - b. Whether the Facility considered it a major modification for Prevention of Significant Deterioration and/or nonattainment New Source Review purposes;
 - c. All assumptions, emission factors, and calculations utilized in making the determination that the modification was or was not a major modification;
 - d. Any and all correspondence, studies, or reports related to such analyses;
 - e. The basis for the Facility's determination that the change was or was not a major modification for each pollutant;
 - f. Copies of the any and all best available control technology ("BACT") and lowest achievable emission rate ("LAER") analyses (performed by the Facility, any State/federal agency, or any consultant or contractor) related to any emission unit at the Facility for any of the changes in the table; and
 - g. Any and all correspondence, studies, or reports related to such BACT or LAER determinations.
10. For each expenditure identified in question 8 which costs \$100,000 or greater (indexed to that project on the table), provide copies of all capital appropriation requests, financial justifications, and authorizations, including attachments and addenda, generated by or prepared on behalf of the Facility or its predecessors concerning that project.
11. For each expenditure of \$100,000 or greater identified in question 10 (indexed to that change on the table in question 8), provide copies of all engineering analyses, reports, planning documents, meeting notes, studies, project information, internal or external correspondence, email, memoranda, and telephone discussion summaries. This shall include all documents which discuss each project with respect to air emissions; which discuss project economics; or which discuss associated production rates (including, but not limited to, possible, potential, or likely effects on air emissions or compliance with CAA requirements).
12. Provide the current "projected capital outlay plan" or any other document(s) that sets forth operational and equipment changes and identifies the projected capital expenditures that the Facility will be making in the next five years (or any other planning period used) at the Facility. In addition, provide capital planning documents (i.e., five year plans and all other comparable documents) for the period January 1, 2000, to the present.
13. List and provide all life extension and life optimization studies, evaluations, assessments and reports, including any reports and/or correspondence, related to extending the life of the equipment at the Facility, for the period January 1, 2000, to the present. Provide all documents related to internal or external reporting of the capacity of the Facility, including, but not limited to, reports to corporate offices, corporate boards or any similar communication.

14. Provide all planning, meeting notes, studies and project information related to efforts to increase the performance and/or reliability of equipment at the Facility on either a short-term or annual basis for the period January 1, 2000, to the present.
15. Provide a list of the air pollution control devices in operation at the Facility and state:
- The pollutant it controls;
 - A description of the stack on which the control device is located;
 - A list of the processes included in the response to question 2 that vent to this stack;
 - A description of the device, including, but not limited to, the vendor, size, and related control efficiency;
 - The date the device was installed and the date it began operation; and
 - The vendor guarantee for the control efficiency of the device, for each pollutant it affects.
16. Provide a table in electronic format that includes the following data for each month for each kiln for the period between January 1, 2000, and the present. For any gaps in data, indicate whether the kiln was operating or not and why there is a gap in the data.
- Total production of lime (tons);
 - Total mass of raw material feed to the kiln (tons);
 - Type of raw material and percentage of each type of raw material;
 - Mass of any scrubber sludge produced each year (tons);
 - Hours of operation of each kiln; and
 - A description of the data and methodology used in calculating items a. through e.
17. Based on data from the CEMS, continuous emission rate monitoring system (CERMS), COMS, or from any other source of data, provide a table in electronic format that includes the following data for each day for each kiln from January 1, 2000, to the present. If daily emissions data are not available provide emissions data on a monthly basis and explain in detail why the daily information is not available. For any gaps in data, indicate whether the kiln was operating or not and why there is a gap in the data:
- Emissions in pounds per ton of lime produced and tons per day for each operating day (midnight to midnight) for the following pollutants: NO_x, SO₂, CO, VOCs, PM, and PM₁₀;
 - A description of the source of the data and methodology used to obtain the data in 17a; and
 - If CEMS, CERMS, or COMS data is not available, provide full copies of all performance testing, lime production, and emission factors for each pollutant from January 1, 2000 to the present.
18. Summarize each of the following production and emissions limits and identify all changes to each such limit in chronological order from January 1, 2000, to the present for each kiln:
- Allowable lime production rate in tons per day;
 - Allowable NO_x (indicate NO_x species) emissions in parts per million, pounds per hour, pounds per day, tons per year, and pounds per ton of lime;

- c. Allowable SO₂ emissions in parts per million, pounds per hour, pounds per day, tons per year, and pounds per ton of lime;
- d. Allowable CO emissions in parts per million, pounds per hour, pounds per day, tons per year, and pounds per ton of lime;
- e. Allowable VOC emissions in parts per million, pounds per hour, pounds per day, tons per year, and pounds per ton of lime; and
- f. Allowable PM, PM₁₀, and PM_{2.5} emissions in parts per million, pounds per hour, pounds per day, and tons per year.

19. Provide the following records regarding fuel usage for each kiln:

- a. A list of fuels fired before January 6, 1975;
- b. A description of how each fuel listed in response to item a. would have been consumed or processed prior to January 6, 1975, including a description of the equipment in place in 1975 and the equipment used for fuel delivery, storage, and transfer to where it is used;
- c. A list of what fuel is used and what fuel could be used with the equipment listed in item 19b. and the configuration of the equipment in place today. For each fuel on the list, provide a description of the current fuel delivery, storage, and transfer to each location where it is used;
- d. For each fuel introduced or added after 1975, a list of the first day each fuel type was fired;
- e. For each fuel introduced or added after 1975, a description of what equipment was put in place to facilitate the initial use of the fuel during the date listed in response to item 19d;
- f. Copies of any permits since 1975, regarding current or past fuel use in the kilns or determinations by the State that no permit was necessary;
- g. For each fuel listed in response to item 19c. of this question, a description of any fuel quality monitoring conducted at the facility and the specific methods used, a list of the dates during which fuel quality monitoring was conducted, and summaries of this monitoring since January 1, 2000;
- h. The annual fuel use, by fuel type, for each kiln at the Facility from January 1, 2000 through the present, including:
 - i. The types and quantities of each fuel combusted;
 - ii. The sulfur content in weight percent for each fuel;
 - iii. The heating value (in BTUs) of each type of fuel; and
- i. The monthly fuel use, by fuel type, for each kiln at the Facility from January 1, 2000 through the present, including:
 - i. The types and quantities of each fuel combusted;
 - ii. The sulfur content in weight percent for each fuel;
 - iii. The heating value (in BTUs) of each type of fuel.

20. Provide copies of the following CAA reports, pertaining to operations of the Facility, from January 1, 2000, to the present:

- a. Excess emissions reports;
- b. Emissions inventory reports; and
- c. Variances issued by a regulatory agency.

21. Provide a list of all CAA enforcement actions taken by any regulatory agency against the Facility from January 1, 2000, to the present. Include copies of any CAA-related administrative or judicial complaints filed against the Facility, any notices of violation or notices of non-

compliance issued to the Facility, any documents resolving violations by the Facility such as consent decrees or consent orders, and any orders issued against the Facility, such as administrative orders. For each CAA enforcement action identified pursuant to this question, summarize all fees or fines paid by the Facility including the amount and date paid and describe any injunctive-type relief performed by the Facility.

22. From January 1, 2000, to the present, for each emission source (kiln, raw mill, and cooler unit) at the Facility, provide a list of the dates of all complete or partial air emissions testing for all units for SO_2 , NO_x , PM (including filterable and condensable particulate), VOC, CO, lead, mercury, hydrogen chloride, dioxin/furan, and any other regulated air pollutant. Emission testing includes, but is not limited to, compliance testing, engineering testing, and testing for general information. For each emission test, provide a copy of the summary pages from each report, including the emission rates as well as all the operating parameters recorded during the tests, such as kiln feed rate, fuel type and firing rate, and lime production rate. Indicate whether each report was shared with the local or state permitting agency.
23. To the extent not provided before, provide copies of any correspondence from January 1, 2000, through the present, between the state, local, or federal permitting authority, regarding the installation or modification of any emission unit or the emission limits for any emission unit at the Facility, including, but not limited to, applicability determinations, regulatory interpretations, and approval orders.
24. Provide a copy of all documents submitted to the National Lime Association ("NLA") or United States Geological Survey ("USGS") as part of plant information surveys or annual reports since 2000 related to the capacity or production rates of the Facility.
25. Provide the name and address of the party who should receive official correspondence on behalf of the Facility concerning this matter.

ENCLOSURE B – Instructions & Definitions

When providing the information requested in Enclosure A, use the following instructions and definitions.

A. Instructions

1. Please identify the individual(s), including title, responsible for responding to this request.
2. Provide a separate narrative response to each question and subpart of a question set forth in the Information Request.
3. Precede each answer with the number of the question to which it corresponds and at the end of each answer identify the person(s) that provided information that was used or considered in responding to that question, as well as each person that was consulted in the preparation of that response.
4. Indicate on each document produced in response to this Information Request, or in some other reasonable manner, the number of the question to which it corresponds.
5. When a response is provided in the form of a number, specify the units of measure of the number in a precise manner.
6. Where documents or information necessary for a response are neither in your possession nor available to you, indicate in your response why such documents or information is unavailable or not in your possession and identify any source that either possesses or is likely to possess such information.
7. Whenever possible, provide responses in electronic format (i.e. pdf, spreadsheet, etc.).
8. Whenever electronic data is specifically requested in Enclosure A, it must be provided in editable Excel or Lotus format, and not in image format. If Excel or Lotus formats are not available, then the format should allow for data to be used in calculations by a standard spreadsheet program such as Excel or Lotus.

B. Definitions

All terms used in this Request for Information will have their ordinary meaning unless such terms are defined in the CAA, 42 U.S.C. §§ 7401 *et. seq.*, 40 C.F.R. Part 52 (which incorporates the Federally-approved Stated Implementation Plan), or other CAA implementing regulations. Reference is made to the EPA regulatory provisions only; however, you should apply the applicable Federally-approved state provisions when appropriate. Definitional clarification is specified below.

1. The term "capital expenditure," "capital appropriation," or "capital project" means a monetary expenditure on depreciable equipment, including any costs to design, engineer, transport, and install said equipment.

2. The term "capital appropriation request" shall mean any document used by plant personnel in seeking management approval for planned expenditures at the Facility. These documents are also known as authorizations for expenditure, capital requests or other, similar names.
3. The term "construction" means fabrication, erection, or installation of depreciable equipment.
4. The term "continuous emissions monitoring system" or "CEMS" means the total equipment, required under the emission monitoring sections in applicable subparts, used to sample and condition (if applicable), to analyze, and to provide a permanent record of emissions or process parameters.
5. The terms "document" and "documents" shall mean any object that records, stores, or presents information, and includes writings, memoranda, records, or information of any kind, formal or informal, whether wholly or partially handwritten or typed, whether in computer format, memory, or storage device, or in hardcopy, including any form or format of these. If in computer format or memory, each such document shall be provided in a form useable and readable by EPA, with all necessary documentation and support. All documents in hard copy should also include attachments to or enclosures with any document.
6. The term "modification" means any physical or operational change.
7. The term "present" shall mean the date this request was received.
8. The terms "relate to" or "pertain to" (or any form thereof) shall mean constituting, reflecting, representing, supporting, contradicting, referring to, stating, describing, recording, noting, embodying, containing, mentioning, studying, analyzing, discussing, evaluating or relevant to.
9. The term "tons" means short tons or 2,000 pounds.

ENCLOSURE C – Confidential Business Information (CBI)

Assertion and Substantiation Requirements

A. Assertion Requirements

You may assert a business confidentiality claim covering part or all of the information you submit, other than emissions data and information or data that is otherwise publicly available, as described in 40 CFR 2.203(b). If no business confidentiality claim accompanies the information when it is received by EPA, EPA may make the information available to the public without further notice. To make a confidentiality claim, submit the requested information and indicate that you are making a claim of confidentiality. Any document over which you make a claim of confidentiality should be marked by placing on or attaching to the information, at the time it is submitted to EPA, a cover sheet, stamped or typed legend, or other suitable form of notice employing language such as "trade secret" or "proprietary" or "business confidential" and a date if any when the information should no longer be treated as confidential. You must be specific by page, paragraph, and sentence when identifying the information subject to your claim. Allegedly confidential portions of otherwise non-confidential documents should be clearly identified. Information covered by such a claim will be disclosed by the EPA only to the extent permitted and by means of the procedures set forth by Section 114(c) of the Clean Air Act (the Act), and 40 C.F.R. Part 2, Subpart B. The EPA will construe the failure to furnish a confidentiality claim with your response to the attached letter as a waiver of that claim, and the information may be made available to the public without further notice to you.

Please segregate personnel, medical and similar files from your responses and include that information on separate sheet(s) marked as "Personal Privacy Information" given that disclosure of such information to the general public may constitute an invasion of privacy.

B. Substantiation Requirements

All confidentiality claims are subject to EPA verification and must be made in accordance with 40 C.F.R. Part 2, Subpart B. You bear the burden of substantiating your confidentiality claim and must satisfactorily show that disclosure of the information would be likely to cause substantial harm to your business' competitive position; that you have taken reasonable measures to protect the confidentiality of the information and that you intend to continue to do so; and that the information is not and has not been reasonably obtainable by legitimate means without your consent, among other things. Conclusory allegations will be given little or no weight.

Before EPA makes a final determination regarding your claim of confidentiality, pursuant to 40 C.F.R. Part 2, Subpart B, EPA will send you a letter asking you to substantiate fully your CBI claim by answering 11 questions. Your comments in response to these questions will be used by the EPA to determine whether the information has been shown to meet the requirements so as to be entitled to confidential treatment. You must provide EPA with a response within the number of days set forth in the EPA request letter. Failure to submit your comments within that time will be regarded as a waiver of your confidentiality claim or claims, and EPA may release the information.

EPA will ask you to specify which portions of the information you consider confidential. You must be specific by page, paragraph, and sentence when identifying the information subject to your claim. Please note that if a page, document, group or class of documents claimed by you to be confidential contains a significant amount of information which the EPA determines is not confidential, your

confidentiality claim regarding that page, document, group or class of documents may be denied. Any information not specifically identified as subject to a confidentiality claim may be disclosed without further notice to you. For each item or class of information that you identify as being confidential, EPA will ask you to answer the following questions, giving as much detail as possible, as conclusory allegations will be given little or no weight in EPA's determination:

1. For what period of time do you request that the information be maintained as confidential, e.g., until a certain date, until the occurrence of a specified event, or permanently? If the occurrence of a specific event will eliminate the need for confidentiality, please specify that event.
2. Information submitted to the EPA becomes stale over time. Why should the information you claim as confidential be protected for the time period specified in your answer to question #1?
3. What measures have you taken to protect the information claimed as confidential? Have you disclosed the information to anyone other than a governmental body or someone who is bound by an agreement not to disclose the information further? If so, why should the information be considered confidential?
4. Is the information contained in any publicly available material such as the Internet, publicly available databases, promotional publications, annual reports, or articles? If so, specify which.
5. Is there any means by which a member of the public could obtain access to the information? Is the information of a kind that you would customarily not release to the public?
6. Has any governmental body made a determination as to the confidentiality of the information? If so, please attach a copy of the determination.
7. For each item or category of information claimed as confidential, explain with specificity why release of the information is likely to cause substantial harm to your competitive position. Explain the specific nature of those harmful effects, why they should be viewed as substantial, and the causal relationship between disclosure and such harmful effects. How could your competitors make use of this information to your detriment?
8. Do you assert that the information is submitted on a voluntary or a mandatory basis? Please explain the reason for your assertion. If you assert that the information is voluntarily submitted information, please explain whether the information is the kind that would customarily not be released to the public.
9. Whether you assert the information as voluntary or involuntary, please address why disclosure of the information would tend to lessen the availability to the EPA of similar information in the future.
10. If you believe any information to be (a) trade secret (s), please so state and explain the reason for your belief. Please attach copies of those pages containing such information with brackets around the text that you claim to be (a) trade secret (s).

11. Explain any other issue you deem relevant (including, if pertinent, reasons why you believe that the information you claim to be CBI is not emission data or effluent data).

Please note that emission data provided under Section 114 of the Act, 42 U.S.C. § 7414, is not entitled to confidential treatment under 40 C.F.R. Part 2. "Emission data" means, with reference to any source of emission of any substance into the air - (A) information necessary to determine the identity, amount, frequency, concentration, or other characteristics (to the extent related to air quality) of any emission which has been emitted by the source (or of any pollutant resulting from any emission by the source), or any combination of the foregoing; (B) information necessary to determine the identity, amount, frequency, concentration, or other characteristics (to the extent related to air quality) of the emissions which, under an applicable standard or limitation, the source was authorized to emit (including, to the extent necessary for such purposes, a description of the manner and rate of operation of the source); and (C) a general description of the location and/or nature of the source to the extent necessary to identify the source and to distinguish it from other sources (including, to the extent necessary for such purposes, a description of the device, installation, or operation constituting the source). 40 C.F.R. §§ 2.301(a)(2)(i)(A), (B) and (C).

Information designated confidential will be disclosed by EPA only to the extent allowed by, and by means of the procedures set forth in, 40 C.F.R. Part 2, Subpart B. If you fail to claim the information as confidential, it may be made available to the public without further notice to you.

